

THIRTY-SECOND LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Dan Byrd of Shelby County.

Representative Byrd led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 96

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

The Speaker announced that Representative Clark (Sumner) was excused because of a death in the family.

RECESS

On motion of Mr. Hillis, the House stood in recess for the

purpose of a special presentation to Commissioner Charles Howell, Department of Conservation, by the U.S. Department of the Interior.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 344, 494, 585, 1155, 1170, 1176, 1257, 1269, 1278 and 1279; House Resolutions Nos. 2, 19, 57, 58 and 59; and House Joint Resolutions Nos. 105, 150, 151, 155, 156, 157, 158, 164, 169, 181 and 192; and find same correctly enrolled and ready for the signatures of the Speakers.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Bills Nos. 344, 494, 585, 1155, 1170, 1176, 1257, 1269, 1278 and 1279; House Resolutions Nos. 2, 19, 57, 58 and 59; and House Joint Resolutions Nos. 105, 150, 151, 155, 156, 157, 158, 164, 169, 181 and 192.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 145, 161, 191, 225, 509, 547, 593, 609, 897, 976, 1085 and 1123; all for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**SIGNED**

The Speaker announced that he had signed the following: Senate Bills Nos. 145, 161, 191, 225, 509, 547, 593, 609, 897, 976, 1085 and 1123.

**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Joint

Resolutions Nos. 166, 170 and 171 with his approval.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Bills Nos. 347, 799 and 843; and House Joint Resolutions Nos. 127, 129, 130, 131, 134, 135 and 147, with his approval.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

**MR. SPEAKER:**

I am directed by the Governor to return herewith: House Bills Nos. 59, 263, 361, 474, 496, 539, 608, 652, 666, 702, 735, 803, 805, 849, 953, 1243, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1267, 1268 and 1275; and House Joint Resolutions Nos. 140, 149 and 163, with his approval.

**WILLIAM C. KOCH, JR.,**  
Counsel to the Governor.

**FURTHER CONSIDERATION OF SENATE BILL NO. 746**

Senate Bill No. 746--To transfer governance, certain vocational-technical schools.

Mr. Work moved that the motion to reconsider Senate Bill No. 746 be lifted from the table, which motion prevailed.

Mr. Work moved that the House reconsider its action in passing Senate Bill No. 746 on third and final consideration, as amended, which motion prevailed.

Mr. Work moved that the House reconsider its action in adopting Amendment No. 2, which motion prevailed.

Mr. Work moved that Amendment No. 2 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 746, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	74
Noes . . . . .	19
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Chiles, Clark (Davidson), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Montgomery, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shockley, Sir, Stafford, Stallings, Starnes, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work, and Mr. Speaker McWherter--74.

Representatives voting no were: Brewer, Byrd, Cobb, DeBerry, Disspayne, Drew, Hassell, Kent, Kernell, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Nance, Scruggs, Shirley, Smith, Turner and Yelton--19.

Representative present and not voting was: Wix--1.

A motion to reconsider was tabled.

**CALENDAR**

House Bill No. 765--To require timely notice to witnesses, trial date changes.

Mr. Cobb moved that House Bill No. 765 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	92
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Copeland, Speaker pro tem.

House Bill No. 638--To amend Uniform Gifts to Minors Act.

Mr. Cobb moved that House Bill No. 638 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . . 92  
Noes . . . . . 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--92.

A motion to reconsider was tabled.

House Bill No. 548--To repeal Section 39-6-1401, Code.

Mr. Cobb moved that House Bill No. 548 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . . 91  
Noes . . . . . 2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--91.

Representatives present and not voting were: Brewer and Stafford.--2.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 533--To provide for educational loans.

Mr. Cobb moved that House Bill No. 533 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	91
Noes . . . . .	0
Present and not voting . . . . .	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McKirney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--91.

Representatives present and not voting were: Hillis, Stallings and Wix--3.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 531--To make certain provisions, student loans.

On motion, House Bill No. 531 was made to conform with Senate Bill No. 287.

On motion, Senate Bill No. 287, on same subject, was substituted for House Bill No. 531.

Mr. Cobb moved that Senate Bill No. 287 be placed on the Calendar for Tuesday, May 3, 1983, which motion prevailed.

House Bill No. 568--To set standards governing student attendance.

On motion, House Bill No. 568 was made to conform with Senate Bill No. 687.

On motion, Senate Bill No. 687, on same subject, was substituted for House Bill No. 568.

Ms. DeBerry moved that Senate Bill No. 687 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	84
Noes . . . . .	10

Representatives voting aye were: Anderson, Atchley, Bell, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nafieh, Nance, Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Wheeler, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--84.

Representatives voting no were: Bewley, Bivens, Gafford, Harrill, Kent, Montgomery, Napier, Robertson, Webb and Whitson--10.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1200--To amend County Fiscal Procedure Law.

Mr. Starnes moved that House Bill No. 1200 be passed on third and final consideration.

Mr. Stafford moved to amend as follows:

#### **AMENDMENT NO. 1**

Amend House Bill No. 1200 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

**SECTION \_\_\_\_.** The provisions of this act shall not apply in any county having a population of not less than 28,500 nor more than 28,560 according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1200, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	93
Noes . . . . .	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, and Yelton--93.

Representatives present and not voting were: Buck and Crain--2.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1201--To amend County Budgeting Law.

Mr. Starnes moved that House Bill No. 1201 be passed on third and final consideration.

Mr. Stafford moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1201 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_ . The provisions of this act shall not apply in any county having a population of not less than 28,500 nor more than 28,560 according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1201, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	93
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis



(Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--93.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1067--To provide for retirement, school board employees.

Mr. Starnes moved that House Bill No. 1067 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	87
Noes . . . . .	4
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--87.

Representatives voting no were: Buck, Shirley, Stafford and Williams--4.

Representative present and not voting was: Crain--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 283--To fund bridge, Cockrill Bend.

Mr. Murphy moved that House Bill No. 283 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 283 by adding a new "Section 7." which shall read as follows:

Notwithstanding anything to the contrary contained herein, the Funding Board shall have no authority to issue and sell any bonds or bond anticipation notes until the Commissioner of Transportation shall have included the proposed project in the state budget document, and the General Assembly has appropriated funds therefor and for the first year's obligation of principal and interest:

and further amend by re-numbering existing "Section 7" of the bill as "Section 8".

On motion, the amendment was adopted.

Mr. Murphy moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 283 in Section 3 by deleting the reference "Section 9-901-924" and substituting the reference "Section 9-9-101 through 9-9-406".

On motion, the amendment was adopted.

Thereupon, House Bill No. 283, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	81
Noes . . . . .	10
Present and not voting . . . . .	2

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Shockley, Sir, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--81.

Representatives voting no were: Atchley, Duer, Harrill, Hassell, Henry, Hudson, McAfee, Nance, Robertson and Smith--10.

Representatives present and not voting were: Buck and Severance--2.

A motion to reconsider was tabled.

House Bill No. 1148--To make certain provisions, captive insurance companies.

On motion, House Bill No. 1148 was made to conform with Senate Bill No. 1067.

On motion, Senate Bill No. 1067, on same subject, was substituted for House Bill No. 1148.

Mr. Stafford moved that Senate Bill No. 1067 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--95.

A motion to reconsider was tabled.

House Bill No. 381--To provide election, certain boards or commissions, certain counties.

On motion, House Bill No. 381 was made to conform with Senate Bill No. 398.

On motion, Senate Bill No. 398, on same subject, was substituted for House Bill No. 381.

Mr. Drew moved that Senate Bill No. 398 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 398 by adding the following language as a new section immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION 3. This act shall not apply in any county having a population of not less than eighty five thousand seven hundred twenty-five (85,725) nor more than eighty five thousand eight hundred twenty-five (85,825) according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Drew moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 398 by deleting the following language from Section 2:

This act shall have no effect unless it is approved by a majority of the number of qualified voters of the county or municipality, as the case may be, voting in an election to be called and held at a regular county or municipal election on the question of whether or not this act would be approved. Upon receipt by the county election commission of petitions signed by a number of residents of a county or municipality, as the case may be, equal to not less than ten percent (10%) of the persons who voted in the last regular mayoral election, the county election commission shall have printed on the ballot the substance of this act. The voter shall vote for or against its approval at the next regular mayoral election.

and by substituting instead the following language:

This act shall have no effect unless it is approved by a majority of the number of qualified voters of the county or municipality, to which it may apply, as the case may be, voting in an election on the question of whether or not this act should be approved. The ballots used in the first regular election held in such county or municipality after the effective date of this act shall have printed on them the substance of this act and the voters shall vote for or against its approval. The election commission shall place this question on the ballot at the direction of the state election coordinator.

On motion, the amendment was adopted.

Mr. Owen moved to amend as follows:

**AMENDMENT NO. 3**

**Amend Senate Bill No. 398 by adding:**

**This act shall become effective Jan. 1, 1984.**

**Mr. Burnett moved that Senate Bill No. 398 be placed on the Calendar for Tuesday, May 3, 1983, which motion failed by the following vote:**

<b>Ayes . . . . .</b>	<b>27</b>
<b>Noes . . . . .</b>	<b>47</b>
<b>Present and not voting . . . . .</b>	<b>14</b>

**Representatives voting aye were: Anderson, Atchley, Buck, Burnett, Chiles, Covington, Davis (Hamilton), Dills, Disspayne, Elsea, Harrill, Henry, Herndon, Jared, Kent, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Owen, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Stafford and Yelton--27.**

**Representatives voting no were: Bell, Bewley, Bivens, Bragg, Brewer, Byrd, Clark (Davidson), Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dixon, Duer, Ellis, Ford, Frensey, Gaia, Gill, Hillis, Hurley, Huskey, Jones, Kelley, Kernell, King (Shelby), King (Washington), Love, McAfee, McNally, Moore (Sullivan), Percy, Phillips, Rhinehart, Robinson (Washington), Severance, Shockley, Sir, Smith, Stallings, Turner, Wallace, Wheeler, Whitson, Williams, Withers and Work--47.**

**Representatives present and not voting were: Crain, Gafford, Hassell, Kisber, McKinney, Nance, Napier, Shirley, Starnes, Tanner, Webb, Wix, Wolfe and Wood--14.**

**Thereupon, Amendment No. 3 failed by the following vote:**

<b>Ayes . . . . .</b>	<b>18</b>
<b>Noes . . . . .</b>	<b>40</b>
<b>Present and not voting . . . . .</b>	<b>30</b>

**Representatives voting aye were: Bell, Bewley, Chiles, Covington, Disspayne, Harrill, Henry, Jared, Kent, Miller, Murphy, Murray, Owen, Robertson, Robinson (Davidson), Scruggs, Stafford and Yelton--18.**

**Representatives voting no were: Anderson, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Davidson, Davis (Pickett), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Hassell, Hillis, Hurley, Jones, Kelley, Kernell, King (Shelby), Love, McNally, Moore (Sullivan), Percy, Phillips, Robinson (Hamilton), Severance, Shockley, Sir, Smith, Stallings, Turner, Wallace, Wheeler, Whitson, Williams, Withers, and Work--40.**

Representatives present and not voting were: Atchley, Burnett, Crain, Davis (Gibson), Davis (Hamilton), Elsea, Ford, Frensley, Gafford, Herndon, Hudson, Huskey, Kisber, McAfee, McKinney, Montgomery, Moore (Shelby), Naifeh, Nance, Napier, Pickering, Rhinehart, Robinson (Washington), Shirley, Starnes, Tanner, Webb, Wix, Wolfe and Wood--30.

Mr. Wallace moved the previous question, which motion prevailed.

Thereupon, Senate Bill No. 398, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	51
Noes . . . . .	6
Present and not voting . . . . .	35

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Copeland, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Frensley, Gaia, Gill, Hillis, Hudson, Hurley, Jones, Kelley, Kent, Kernell, King (Shelby), Love, McNally, Murphy, Naifeh, Owen, Phillips, Robinson (Hamilton), Severance, Shockley, Sir, Smith, Stallings, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Withers and Work--51.

Representatives voting no were: Chiles, Jared, Miller, Murray, Percy and Scruggs--6.

Representatives present and not voting were: Anderson, Atchley, Covington, Dills, Ellis, Elsea, Ford, Gafford, Harrill, Hassell, Henry, Herndon, Huskey, King (Washington), Kisber, McAfee, McKinney, Montgomery, Moore (Shelby), Moore (Sullivan), Nance, Napier, Pickering, Rhinehart, Robertson, Robinson (Washington), Shirley, Stafford, Starnes, Tanner, Webb, Wix, Wolfe, Wood and Yelton--35.

A motion to reconsider was tabled.

House Bill No. 968--To providing for preserving black history.

On motion, House Bill No. 968 was made to conform with Senate Bill No. 935.

On motion, Senate Bill No. 935, on same subject, was substituted for House Bill No. 968.

Mr. Drew moved that Senate Bill No. 935 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	92
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell,

Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--92.

Representative present and not voting was: Stafford--1.

A motion to reconsider was tabled.

House Bill No. 1066--To make certain provisions, school security.

Mr. Starnes moved that House Bill No. 1066 be passed on third and final consideration.

Mr. Burnett moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1066 by deleting from Section 7 the language "reasonable cause" and by substituting instead the language "probable cause".

On motion, the amendment was adopted.

Thereupon, House Bill No. 1066, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	96
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb,

**Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, and Yelton--96.**

**A motion to reconsider was tabled.**

**House Bill No. 954--To regulate retail installment and charge contracts.**

**Mr. Yelton moved that House Bill No. 954 be passed on third and final consideration, which motion prevailed by the following vote:**

<b>Ayes . . . . .</b>	<b>78</b>
<b>Noes . . . . .</b>	<b>16</b>
<b>Present and not voting . . . . .</b>	<b>3</b>

**Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Bragg, Brewer, Byrd, Chiles, Clark (Davidson), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Henry, Herndon, Hillis, Hudson, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Kisber, McAfee, McKinney, McNally, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Naifeh, Nance, Napier, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Yelton and Mr. Speaker McWherter--78.**

**Representatives voting no were: Bell, Burnett, Cobb, Davis (Pickett), Gaia, Harrill, Hassell, Hurley, Huskey, Kernell, Love, Miller, Murray, Owen, Shockley and Sir--16.**

**Representatives present and not voting were: Buck, DePriest and Work--3.**

**A motion to reconsider was tabled.**

**House Bill No. 438--To abolish Doctrine of Worthier Title.**

**On motion, House Bill No. 438 was made to conform with Senate Bill No. 621.**

**On motion, Senate Bill No. 621, on same subject, was substituted for House Bill No. 438.**

**Mr. Turner moved that Senate Bill No. 621 be passed on third and final consideration, which motion prevailed by the following vote:**

<b>Ayes . . . . .</b>	<b>95</b>
<b>Noes . . . . .</b>	<b>0</b>

**Representatives voting aye were: Anderson, Atchley, Bell,**



Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--95.

A motion to reconsider was tabled.

House Bill No. 852--To make certain provisions, state building commission.

Mr. Burnett moved that House Bill No. 852 be passed on third and final consideration.

Mr. Burnett moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 852 by deleting all the language of the bill in its entirety following the enacting clause and by substituting instead the following:

**SECTION 1.** Tennessee Code Annotated, Section 4-15-102, is amended by adding the following new subsections:

(f) The Commission may award and approve contracts that provide for retainage as follows:

Not more than ninety-five percent (95%) of the contract price shall be paid on any contract until it is completed and the work is accepted; provided, however, that such contracts are with reputable building contractors that are principally located within this state and have demonstrated by past experience their ability to properly perform equivalent building construction or improvement projects, whether public or private. Prior to the execution of any such contract, the state building commission shall require the execution of a good and solvent corporate surety bond in an amount to be determined by the state building commission. Such bond shall be sufficient in amount to secure the faithful and satisfactory completion of the state building or improvement project such building contractor is awarded. Any damages caused by a building contractor for failure to complete

the contract or by failing to satisfactorily complete the work, shall be recoverable by the state in an action against the building contractor and his sureties.

(g) Full settlement may be made with the contractor after the following have occurred.

(1) The contractor shall furnish evidence to satisfy the commission that all the material used by him, his subcontractors or his agents has been fully paid for and all laborers and other employees working for him, his subcontractors, or his agents have been fully paid.

(2) Within ten (10) days after receipt of evidence requested in paragraph (1) above the commission shall provide thirty (30) days notice in some newspaper published in the county where the work is done, if there be a newspaper published there, and if not, in a newspaper in an adjoining county, that settlement is about to be made and notifying all claimants to file notice of their claims with the commission, and said period for filing shall not be less than thirty (30) days after the last published notice.

**SECTION 2.** This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. Chiles asked to be recorded as voting "no" on Amendment No. 1.

Mr. Dills moved to amend as follows:

#### **AMENDMENT NO. 2**

Amend House Bill No. 852 by inserting the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_ . Tennessee Code Annotated, Section 4-15-102(c) is amended by designating the present language as subsection (c)(1) and by adding the following new subsection:

(c)(2) Any rule, regulation, specification or policy of the commission promulgated pursuant to subsection (c)(2) which restricts eligibility to bid on a project to the manufacturer of the material to be utilized in such project shall be waived, if in the discretion of the commission:

(A) the person, company, corporation or other entity submitting a bid offers a substantially equivalent warranty or guarantee to the warranty or guarantee offered by the manufacturer; and

(B) the person, company, corporation or other entity submitting such bid is financially capable of performing such warranty or guarantee.

On motion, the amendment was adopted.

Thereupon, House Bill No. 852, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	92
Noes . . . . .	1
Present and not voting . . . . .	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--92.

Representatives voting no was: Chiles--1.

Representatives present and not voting were: Brewer and Hudson --2.

A motion to reconsider was tabled.

Senate Bill No. 288--To annual Section 51-238, Code.

Mr. Hillis moved that Senate Bill No. 288 be passed on third and final consideration.

Mr. Severance moved to amend as follows:

#### **AMENDMENT NO. 1**

Amend Senate Bill No. 288 by adding the following new section immediately following Section 1 and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply to any person who possesses a valid sportman's license issued in accordance with the provisions of Tennessee Code Annotated, Section 51-203.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 288, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	94
Noes . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--94.

Representatives voting no was: McKinney--1.

A motion to reconsider was tabled.

Senate Bill No. 199--To amend Section 51-415, Code.

Mr. Hillis moved that Senate Bill No. 199 be passed on third and final consideration.

Mr. DePriest moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 199 by adding the following language as a new Section 2 and renumbering subsequent sections accordingly:

Section 2. Tennessee Code Annotated, Section 51-415(a) is amended by adding the following language at the end of the subsection:

Provided, however, it shall be lawful to shoot across or on any public highway with the intention of killing a coyote or coydog.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 199, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	87
Noes . . . . .	7
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--87.

Representatives voting no were: Buck, Crain, Davidson, Gafford, McKinney, Naifeh and Wallace--7.

Representative present and not voting was: Pruitt--1.

A motion to reconsider was tabled.

Mr. Hillis moved that Senate Bill No. 200 be placed on the Calendar for Tuesday, May 3, 1983, which motion prevailed.

Mr. Miller moved that House Bill No. 346 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Senate Bill No. 44--To regulate sale, substance purporting to be certain controlled substances.

Mr. McNally moved that Senate Bill No. 44 be passed on third and final consideration.

Mr. McNally moved to amend as follows:

**AMENDMENT NO. 6**

Amend Senate Bill No. 44 by deleting subparts (1) and (3) of subsection (c) of the amendatory language of Section 1 as amended and substituting instead the following:

- (1) any person who manufactures or sells a substance for use as a placebo by a licensed physician, dentist, pharmacist or registered nurse acting under the direction of such a physician, dentist, or pharmacist;

(3) a licensed physician, dentist, pharmacist or registered nurse who sells, dispenses, administers, or otherwise distributes a placebo to a patient of such physician, or dentist for purposes of the medical care or treatment of such patient;

On motion, the amendment was adopted.

Mr. McNally moved to amend as follows:

**AMENDMENT NO. 7**

Amend Senate Bill No. 44 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

**SECTION** . If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 44, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	83
Noes . . . . .	9
Present and not voting . . . . .	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--83.

Representatives voting no were: Chiles, Cobb, Crain, Drew, Hudson, King (Shelby), Phillips, Robertson and Scruggs--9.

Representatives present and not voting were: DeBerry and Moore (Sullivan)--2.

A motion to reconsider was tabled.

House Bill No. 1154--To abolish Commission on Postsecondary Vocational Education.

Mr. Whitson moved that House Bill No. 1154 be passed on third and final consideration.

Mr. Whitson moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1154 by inserting the following new section immediately preceding the effective date section:

Section . The chairman of the commission on postsecondary vocational education institutional authorization at the time of the enactment of this act shall submit to the chairman of the Tennessee Higher Education Commission the names of seven (7) persons from whom the chairman of the Tennessee Higher Education Commission shall select five (5) persons who shall compose the membership of the advisory committee on postsecondary vocational education institutions within the provisions of Tennessee Code Annotated, Title 49, Chapter 30. The members of such advisory committee shall be broadly representative of the geographical characteristics, commerce and industry in this state. Such members shall occupy executive or managerial positions in a postsecondary vocational education institution of the type authorized and regulated by Tennessee Code Annotated, Title 49, Chapter 39. The members of such advisory committee shall serve until June 30, 1985 after which such committee shall be abolished.

The advisory committee shall hold its first meeting prior to August 15, 1983 at the call of the Chairman of the Tennessee Higher Education Commission. At its first meeting the committee shall elect from its members a chairman and such other officers as it may deem necessary. Meetings of the committee shall be held semiannually or at the call of the Chairman of the Tennessee Higher Education Commission.

Members of the committee shall be reimbursed for travel expenses in accordance with the provisions of the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general.

The recommendations of the advisory committee to the Tennessee Higher Education Commission shall only be advisory in nature.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1154, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	94
Noes . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--94.

Representative voting no was: DeBerry--1.

A motion to reconsider was tabled.

Mr. Love moved that House Bill No. 186 be placed on the Calendar for Tuesday, May 3, 1983, which motion prevailed.

House Bill No. 1284--To authorize severance tax, certain counties.

Mr. Rhinehart moved that House Bill No. 1284 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1284 by deleting Section 8 and 9 in their entirety and by substituting instead the following:

Section 8. This act shall take effect July 1, 1983, the public welfare requiring it.

Mr. Buck moved the House Bill No. 1284 be re-referred to the Committee on Finance, Ways and Means.

Mr. Rhinehart moved that the motion be tabled, which motion failed by the following vote:

Ayes . . . . .	35
Noes . . . . .	54
Present and not voting . . . . .	3

Representatives voting aye were: Anderson, Brewer, Burnett, Byrd, Clark (Davidson), Covington, Davis (Hamilton), DeBerry,



DePriest, Disspayne, Duer, Ellis, Frensey, Gaia, Gill, Hudson, Hurley, Jared, Kernell, King (Washington), McNally, Naifeh, Percy, Phillips, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Starnes, Tanner, Turner, Whitson, Work and Mr. Speaker McWherter--35.

Representatives voting no were: Atchley, Bell, Bewley, Bivens, Bragg, Buck, Chiles, Clark (Sumner), Cobb, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Dixon, Elsea, Ford, Gafford, Harrill, Hassell, Herndon, Hillis, Huskey, Johnson, Kelley, Kent, King (Shelby), Kisber, McAfee, McKinney, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Napier, Owen, Pickering, Pruitt, Robertson, Severance, Sir, Smith, Stafford, Stallings, Wallace, Webb, Wheeler, Williams, Withers, Wolfe, Wood and Yelton--54.

Representatives present and not voting were: Henry, Jones and Shirley--3.

Thereupon, on motion the motion to rerefer House Bill No. 1284 to the Committee on Finance, Ways and Means prevailed.

House Bill No. 404--To provide maintenance of sidewalks certain areas.

On motion, House Bill No. 404 was made to conform with Senate Bill No. 285.

On motion, Senate Bill No. 285, on same subject, was substituted for House Bill No. 404.

Mr. Turner moved that Senate Bill No. 285 be passed on third and final consideration.

Mr. Brewer moved to amend as follows:

#### **AMENDMENT NO. 1**

Amend Senate Bill No. 285 by deleting the effective date section in its entirety and by substituting instead the following:

SECTION \_\_\_\_\_. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of any county to which it may apply. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the secretary of state.

SECTION \_\_\_\_\_. For the purposes of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in the previous section.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 285, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	54
Noes . . . . .	30
Present and not voting . . . . .	12

Representatives voting aye were: Anderson, Bell, Bivens, Brewer, Byrd, Clark (Davidson), Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Gill, Hassell, Jared, Johnson, Kent, Kernell, King (Shelby), King (Washington), McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Napier, Owen, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Sir, Stafford, Starnes, Tanner, Turner, Ussery, Wheeler, Whitson, Williams, Wix, Wood and Yelton--54.

Representatives voting no were: Bewley, Buck, Burnett, Chiles, Copeland, Crain, DeBerry, Disspayne, Elsea, Ford, Harrill, Herndon, Hillis, Hurley, Huskey, Jones, Kelley, McAfee, Naifeh, Percy, Pickering, Robertson, Scruggs, Severance, Shockley, Smith, Stallings, Wallace, Wolfe and Work--30.

Representatives present and not voting were: Atchley, Bragg, Drew, Henry, Hudson, Kisber, Love, Robinson (Hamilton), Robinson (Washington), Shirley, Webb and Withers--12.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 413--To amend Section 16-16-501, Code.

On motion, House Bill No. 413 was made to conform with Senate Bill No. 260.

On motion, Senate Bill No. 260, on same subject, was substituted for House Bill No. 413.

Mr. Turner moved that Senate Bill No. 260 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

**AMENDMENT NO. 1**

Amend Senate Bill No. 260 by adding the following new Section:

"Sec. \_\_\_\_\_. The provisions of this act shall not apply to counties having a metropolitan form of government"

On motion, the amendment was withdrawn.

Mr. Turner moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 260 by deleting the language added by Senate Amendment #1 in its entirety.

FURTHER AMEND by adding before the effective date section the following and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_ . The provisions of this act shall only apply in any county having a population of not less than seven hundred thousand (700,000) according to the 1980 federal census or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 260, as amended, passed its third and final consideration by the following, vote:

Ayes . . . . .	96
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--96.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Bill No. 1228--To allow public officials to decline salaries, certain counties.

On motion, House Bill No. 1228 was made to conform with Senate Bill No. 1152.

On motion, Senate Bill No. 1152, on same subject, was substituted for House Bill No. 1228.

House Bill No. 1289--To set coon season, White County.

House Bill No. 1290--To set coon season, Bledsoe County.

House Bill No. 1291--To set coon season, Van Buren County.

House Bill No. 1292--To set coon season, Warren County.

House Bill No. 1293--To set coon season, Sequatchie County.

House Bill No. 1294--To set coon season, Marion County.

House Joint Resolution No. 183--Relative to recognizing anniversary, Saint Matthew's Episcopal Church.

House Joint Resolution No. 185--Relative to Ocoee Fiver recreational use.

House Joint Resolution No. 187--Relative to recreational boating programs.

House Joint Resolution No. 188--Relative to memory, Sam Hodges.

House Joint Resolution No. 191--Relative to memory, Jim Wilkerson.

House Joint Resolution No. 193--Relative to memory, Frank Webb, Etowah.

House Joint Resolution No. 194--Relative to honoring Mr. William B. Sansom.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes . . . . .	97
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart,

Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill No.:

917--To amend Title 5, Chapter 1, Part 2, Code; substituted for Senate Bill on same subject, amended, and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos.:

502--To set minimum standards, law enforcement officers;

787--To amend Title 25, Chapter 5, Code;

864--To regulate certain energy production facilities; all substituted for Senate Bills on same subject and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos. 344, 494, 585, 1155, 1170, 1176, 1257, 1269, 1278 and 1279; also, House Joint Resolutions Nos. 105, 150, 151, 155, 156, 157, 158, 164, 169, 181 and 192; all signed by the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**CORRECTION TO JOURNAL**

On April 21, 1983 (page 1103), House Joint Resolution No. 180 was shown as referred to the Committee on General Welfare. This is in error.

House Joint Resolution No. 180 was referred to the Committee on Calendar and Rules.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolutions Nos.:

76--Relative to plaque commemorating the U.S.S. Nashville;

161--Relative to congratulating McMinn County High School;

162--Relative to congratulating McMinn Central High School boys' basketball team;

168--Relative to honoring Russ Bebb;

178--Relative to commending James M. Pierce;

184--Relative honoring Bill Heydel, retirement;

186--Relative to honoring Dr. Wallace Samuel Prescott; all concurred in by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos.:

776--To amend Section 10-7-504, Code;

984--To exempt certain items from inventory, state museum;

1179--To regulate Prevailing Wage Commission; all substituted for Senate Bills on same subject and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 776, 984 and 1179; and House Joint Resolutions Nos. 76, 161, 162, 168, 178, 184 and 186; and find same correctly enrolled and ready for the signatures of the Speakers.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 776, 984 and 1179; and House Joint Resolutions Nos. 76, 161, 162, 168, 178, 184 and 186.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 64--To change Alcoholic Beverage Commission.

SENATE AMENDMENT NO. 1

Amend House Bill No. 64 by deleting Section 2 in its entirety and by substituting instead the following language:

SECTION 2. Tennessee Code Annotated, Section 4-29-207, is amended by adding the following language as an appropriately numbered new item:

( ) alcoholic beverage commission, created by Section 57-1-101

Mr. Davis (Hamilton) moved that the House non-concur in Senate Amendment No. 1, which motion prevailed.

FURTHER CONSIDERATION OF SENATE BILL NO. 71

Senate Bill No. 71--To regulate emergency absentee ballots.

Mr. Henry moved that the motion to reconsider Senate Bill No. 71 be lifted from the table, which motion prevailed.

Mr. Henry moved that the House reconsider its action in passing Senate Bill No. 71 on third and final consideration, as amended, which motion prevailed.

Mr. Henry moved that the House reconsider its action in adopting Amendment No. 2, which motion prevailed.

Mr. Henry moved that Amendment No. 2 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 71, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	91
Noes . . . . .	3
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry,

Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--91.

Representatives voting no were: Chiles, Scruggs and Smith--3.

Representative present and not voting was: Nance--1.

A motion to reconsider was tabled.

**HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 875--To limit purchasing, government offices.

**SENATE AMENDMENT NO. 2**

Amend House Bill No. 875 as follows:

Amend Section 1, in the amended House Bill sub section (a) by deleting the word "owned" which immediately precedes the word "wholly"

**SENATE AMENDMENT NO. 3**

Amend House Bill No. 875 sub-section (c) no. (1) and (2) by deleting the word "products" wherever it appears and substituting in lieu thereof the word "materials"

Mr. Davis (Pickett) moved that the House concur in Senate Amendments Nos. 2 and 3, which motion prevailed by the following vote:

Ayes . . . . .	93
Noes . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith,



Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work and Yelton--93.

Representative voting no was: Williams--1.

A motion to reconsider was tabled.

### **HOUSE BILL ON SENATE AMENDMENTS**

House Bill No. 1195--To make certain provisions, Public Health Commissioner.

#### **SENATE AMENDMENT NO. 6**

Amend House Bill No. 1195 by deleting from the amendatory language of Section 1 the last two sentences of subsection (c), and by substituting instead the following:

Any of the powers, duties, responsibilities, or authorities vested in the commissioner which require or imply that the commissioner is a licensed physician may be delegated by the commissioner to the chief medical officer. Any such delegation shall be made in writing and shall be filed with the Secretary of State.

#### **SENATE AMENDMENT NO. 7**

Amend House Bill No. 1195 by deleting from Section 1, subsection (d) as amended by Amendment #5, the following:

The salary for the state health officer shall be paid consistent with physician classification 959 as of January 1, 1983.

and further amend by deleting from Section 1, subsection (d) as amended by Amendment #1 to Amendment #5, the following:

"This salary or physicians salary cannot be changed except by General Assembly approval."

#### **SENATE AMENDMENT NO. 8**

Amend House Bill No. 1195 by adding at the end of Section 1, subsection (d), the following:

The salary for the Chief Medical Officer shall be paid consistent with the January 1, 1983 physician 959 classification or the highest paid physician in subsequent classification/compensation plans.

Mr. McNally moved that the House concur in Senate Amendments Nos. 6, 7 and 8, which motion prevailed by the following vote:

Ayes . . . . .	91
Noes . . . . .	4

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work--91.

Representatives voting no were: Brewer, DeBerry, Kisber and Shirley--4.

A motion to reconsider was tabled.

**RESOLUTIONS LYING OVER**

Senate Joint Resolution No. 90--Relative to congratulating Linden Elementary School basketball team.

Under the rules, Senate Joint Resolution No. 90 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 92--Relative to sympathy, Dr. Webster Pendergrass.

Under the rules, Senate Joint Resolution No. 92 was referred to the Committee on Calendar and Rules.

**BILL WITHDRAWN**

On motion of Mr. Wood, House Bill No. 836 was recalled from the Committee on General Welfare.

On motion of Mr. Wood, House Bill No. 836 was withdrawn from the House.

Mr. Owen moved that the rules be suspended for the purpose of introducing House Resolution No. 62 out of order, which motion prevailed.

House Resolution No. 62--Relative to study, pending legislation on annexation--By Owen, Scrugg, Hudson and Yelton.

Under the rules, the resolution lies over.

**NOTICE PURSUANT TO RULE NO. 57**

Pursuant to Rule No. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Tuesday, April 26, 1983:

House Bill No. 10--Gill

House Bill No. 804--Duer

House Bill No. 855--Burnett

House Bill No. 859--Burnett

**SECOND ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 98

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

**INTRODUCTION OF RESOLUTIONS**

House Resolution No. 56--Relative to commending TVA Board of Directors--By Johnson and Hillis.

Under the rules, House Resolution No. 56 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 195--Relative to recognizing Ms. Barbara Booker, Ms. Denise Marshall and Mrs. Ruth Stokes--By Drew.

Under the rules, House Joint Resolution No. 195 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 196--Relative to congratulating Tri-Cities Christian High School basketball team--By Yelton, Montgomery, Moore (Sullivan) and Whitson.

Under the rules, House Joint Resolution No. 196 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 197--Relative to study, bingo law--By Yelton, Moore (Sullivan), Montgomery, Bivens and Whitson.

The Speaker referred House Joint Resolution No. 197 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 198--Relative to congratulating Austin-East High School girl's track team--By Drew, Miller, Scruggs, Owen and Smith.

Under the rules, House Joint Resolution No. 198 was referred to the Committee on Calendar and Rules.

### **INTRODUCTION OF BILLS**

House Bill No. 1300--To provide for judge, Trial Justice Court, Sevier County--By Huskey and Atchley.

Passed first consideration.

House Bill No. 1301--To set term of office, Hamilton County Board of Education--By Starnes, Wood, Robinson (Hamilton), Elsea, McAfee, Davis (Hamilton) and Copeland.

Passed first consideration.

House Bill No. 1302--To amend Section 56-32-102, Code--By Starnes.

Passed first consideration.

House Bill No. 1303--To set penalty, driving while intoxicated --By Brewer and Bragg.

Passed first consideration.

House Bill No. 1304--To regulate school system, Manchester--By Johnson.

Passed first consideration.

### **SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 454--To enact County Purchasing Law of 1983.

Passed first consideration.

Senate Bill No. 574--To regulate deposit of state funds.

Passed first consideration.

**Senate Bill No. 676--To regulate exemption, property taxation.**

**Passed first consideration.**

**Senate Bill No. 736--To regulate sale, alcoholic beverages, certain clubs.**

**Passed first consideration.**

**Senate Bill No. 745--To provide office space, General Assembly, certain counties.**

**Passed first consideration.**

**Senate Bill No. 760--To amend Chapter 10, Title 67, Code.**

**Passed first consideration.**

**Senate Bill No. 900--To regulate benefits, Superseded Tennessee Teachers' Retirement System.**

**Passed first consideration.**

**Senate Bill No. 1185--To levy mineral severance tax, Rutherford County.**

**Passed first consideration.**

#### **HOUSE BILLS ON SECOND CONSIDERATION**

**House Bill No. 1295--To regulate Tipton County School System.**

**Passed second consideration and held without reference.**

**House Bill No. 1296--To levy tax on lodgings, Hamilton County.**

**Passed second consideration and held without reference.**

**House Bill No. 1297--To provide funds for school buildings, Wilson County.**

**Passed second consideration and held without reference.**

**House Bill No. 1298--To authorize bonds, Tenth School District, Wilson County.**

**Passed second consideration and held without reference.**

#### **REPORT FROM STANDING COMMITTEE**

##### **EDUCATION**

**MR. SPEAKER: Your Committee on Education begs leave to report**

that we have carefully considered and recommend for passage: House Bills Nos. 703, 729, 732 and House Joint Resolution No. 179 and further recommend that pursuant to House Rule No. 70, House Bills Nos. 729 and 732 be referred to the Committee on Finance, Ways and Means.

**WORK, Chairman.**

Under the rules, House Bill No. 703 and House Joint Resolution No. 179 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bills Nos. 729 and 732 to the Committee on Finance, Ways and Means.

### **REPORT OF COMMITTEE ON CALENDAR AND RULES**

**MR. SPEAKER:** Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Tuesday, April 26, 1983: House Bills Nos. 762, 907, 567, 1128, 626, 767, 392, House Joint Resolution No. 133, House Bills Nos. 594, 1006, 835, 1137, 524, 607, 748, 887, 886, 687, 578, 812, 247, 782, 551, 191 and 834.

**GILL, Chairman.**

### **SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 833--Brewer (prime)

House Joint Resolution No. 193--Webb

### **MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolutions Nos.:

67--Relative to study, use, institutional facilities;

94--Relative to commending Julia S. Gibbons;

100--Relative to memory, Dr. Hobart Ford; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

### **MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos.:

74--To regulate election, general sessions judges, Hamilton County;

180--To regulate Civil Service interviews;

557--To enact Tennessee Conservation Corps Act;

612--To regulate membership, county boards of health;

660--To regulate use, minors for obscene purposes;

672--To enact Uniform Durable Power of Attorney Act;

732--To enact Uniform Arbitration Act;

880--To regulate county and municipal airports;

1039--To reorganize Department of Public Health; all passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

### **INTRODUCTION OF BILLS**

Mr. Whitson moved that rules be suspended for the purpose of introducing House Bill No. 1305 out of order, which motion prevailed.

House Bill No. 1305--To set coon season, Unicoi County--By Whitson.

Passed first consideration.

Mr. Robertson moved that the rules be suspended for the purpose of introducing House Bill No. 1313 out of order, which motion prevailed.

House Bill No. 1313--To set coon season, Claiborne, Campbell, Scott, Anderson and Union Counties--By Robertson, Atchley, Davis (Pickett), McNally and Wheeler.

Passed first consideration.

### **LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES**

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills No. 1270, 1281, 1295, 1296, 1297 and 1298.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Tuesday, April 26, 1983: House Bills Nos. 1270, 1281, 1295, 1296, 1297, 1298; Senate Joint Resolutions Nos. 90, 92; House Resolution No. 56; House Joint Resolutions Nos. 195, 196 and 198.

GILL, Chairman.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 283, 533, 548, 638, 765, 852, 954, 1066, 1067, 1154, 1200, 1201, 1289, 1290, 1291, 1292, 1293 and 1294; and House Joint Resolutions Nos. 183, 185, 187, 188, 191, 193 and 194; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

On motion of Mr. Naifeh, the House adjourned until 10:00 a.m. tomorrow.